

**Applying for a
Certificate of Territorial Authority for
Competitive Local Exchange Carriers**

To provide Local Exchange Telecommunication Services in the state of Indiana, any party desiring to provide such services must receive authority to do so from the Indiana Utility Regulatory Commission (IURC). The IURC grants authority to provide such services through the issuance of a Certificate of Territorial Authority (CTA).

This document outlines the process and procedures for Competitive Local Exchange Carriers (CLECs) to obtain a CTA.

There are two types of authority granted to local exchange service providers:

1. Competitive Local Exchange Carrier - **Facilities-based**
2. Competitive Local Exchange Carrier - **Bundled Resell**

1. CLEC - FACILITIES-BASED

This authority allows a party to provide local exchange telecommunications services utilizing its own facilities alone or in conjunction with another certified facilities-based local exchange telecommunication provider. The process for receiving this type of authority requires the filing of a petition with the Commission. Local counsel **MUST** represent the petitioning party before the Commission. The Indianapolis Bar Association at (317) 639-5465 can provide referrals to attorneys who practice in this area. The Commission must hold an evidentiary hearing prior to issuance of an order granting such authority.

In order to receive a facilities-based CTA, the petitioning party must demonstrate that it:

- 1) has the legal authority to provide the proposed services;
- 2) financial, technical, and managerial ability to provide the proposed services;
- 3) has adequately described the service area in which it proposes to render the proposed services;
- 4) that it would be in the public interest. The petition must be signed by an officer of the petitioning party, and if your petitioning party is located outside the State of Indiana, it must also provide its "Certificate of Authority" to transact business from the Office of the Secretary of State.

2. CLEC - Bundled RESELL

This authority allows a party to resell the local exchange telecommunications services of a certified facilities-based provider. In its September 9, 1999 and October 13, 1999 Orders, the Commission has approved an application form to be used for the purpose of requesting such authority.

There is no fee for filing the application with the Commission.

Although an evidentiary hearing before the Commission may not be required (the Commission still retains the discretion to hold an evidentiary hearing, if needed), the Commission must issue an order granting reseller authority before the petitioning party is authorized to provide service in Indiana. Unless the Commission determines that a hearing is necessary, no attorney is needed to file the application to resell local exchange telecommunications services.

The Commission has set forth its policy on granting authority to CLECs in orders approved by the Commission in Cause Nos. 39983 orders dated June 5, 1996, July 1, 1996, August 21, 1996, December 18, 1996, September 9, 1999 and October 13, 1999. Copies of these orders may be obtained by contacting the IURC Copy Center at 317.232.2709.

For additional information on preparation and filing a petition before the Commission, refer to the Indiana Code (Title 8) and Indiana Administration Code (Title 170).

There is no fee for filing a petition with the Commission.

Whether filing for reseller or facilities-based authority, an original and eight copies of the petition and/or application, will need to be sent to:

**Executive Secretary
Indiana Utility Regulatory Commission
302 West Washington Street
Room E-306
Indianapolis, Indiana 46204-2738**

In addition to filing a petition and/or application requesting authority with the Commission, the petitioning party is required to file and obtain approval of a local exchange service tariff. In its September 9, 1999 Order, the Commission established revised tariff procedures. The petitioning party should file one original plus a copy of their tariff with the Commission's Telecommunications Division only after an order has been issued granting the petitioner the requested authority. One additional copy of the tariff should also be sent to:

**Office of Utility Consumer Counselor
100 North Senate Avenue
Room N-501
Indianapolis, Indiana 46204-2200**

In addition to the CTA and the tariff filing, it may be necessary for the petitioning party to have an interconnection agreement with an Incumbent Local Exchange Carrier (ILEC) in order to provide service to its customers.

QUESTIONS

Petitioning parties with questions regarding any of the above information should contact the IURC's Tariff Administrator.

**IURC
Telecommunications Division
Tariff Administrator
302 West Washington Street, Room E306
Indianapolis, Indiana 46204
317.232.5559**